

Independent International Commission of Inquiry on Ukraine

Press conference – New York – 31 October 2024

Erik Møse, Chair

Good morning,

We are here today to share with you the main findings of the report presented by the Independent International Commission of Inquiry on Ukraine to the Third Committee of the General Assembly, on Tuesday 29 October 2024.

Our most important conclusion is that Russian authorities have committed torture as a crime against humanity.

During our two previous mandates, we reported on the widespread and systematic use of torture as a war crime by Russian authorities, both in Ukraine and in the Russian Federation. The victims were civilians and prisoners of war, both women and men.

Our recent findings demonstrate that Russian authorities have committed torture in all provinces of Ukraine that came under their control, as well as in the detention facilities that the Commission has investigated in the Russian Federation. A map illustrating these regions is posted on our website. The new evidence reinforces the previous conclusion that torture was widespread.

The Commission had also previously concluded that the use of torture was systematic. It had identified common elements concerning the categories of persons targeted, the aims for which torture was used, and the similarity of methods employed.

This report contains evidence of further common elements, including:

- The transposition of violent practices common in Russian Federation detention facilities to similar facilities in occupied areas of Ukraine;
- The recurrent use of sexual violence;
- The deployment of specific services and security forces from the Russian Federation to the occupied areas they controlled in Ukraine, who acted in a coordinated manner, and according to a specific division of labour; and
- Orders of superiors as well as an apparent sense of impunity among perpetrators.

Based on this body of evidence, we have concluded that Russian authorities acted pursuant to a coordinated state policy of torturing Ukrainian civilians and prisoners of war. Therefore, in addition to torture as a war crime, they also committed torture as a crime against humanity.

This report also describes sexual violence, attacks on energy-related infrastructure, and attacks with explosive weapons that affected civilians and civilian objects.

Vrinda Grover, Commissioner

Going back to the new common elements of torture, I will first talk about the transposition of violent practices from detention facilities in the Russian Federation to similar facilities in Ukraine, in areas under the control of the Russian Federation. Former detainees consistently described the use of the same harsh practices in the same sequence, demonstrating the replication of practices of torture. Testimonies described a brutal so-called ‘admission procedure’. Harsh practices, designed to scare, break, humiliate, coerce and punish detainees

were used routinely. Personnel monitored compliance with their rules through surveillance cameras and imposed severe collective punishment for any breach. Interrogations were accompanied by some of the most violent treatment documented.

Another disturbing element documented by the Commission is the recurrent use of sexual violence as a form of torture in detention facilities under the control of Russian authorities. Detainees were subjected to rape, attempted rape, attacks on genital organs through beatings, electric shocks or burns, long periods of forced nudity, threats of sexual mutilation and castration, and intrusive body searches. Former detainees reported beatings and electric shocks in the showers when they were naked and wet. The Commission's investigations found that victims were both men and women, civilians and prisoners of war; however, the majority were men. Most prisoners of war reported having been subjected to sexual violence. Victims reported long lasting psychological trauma as a consequence of these violations.

I will now turn to another aspect. We found numerous situations in which medical care was denied in detention facilities, even where the Ukrainian detainee had visible serious injuries. Testimonies further disclose the involvement of medical personnel in committing negligent or abusive acts against detainees in the Russian Federation, in breach of their ethical standards. We concluded that the Russian authorities thereby violated the international humanitarian law obligation to respect the health and integrity of detained civilians and provide medical attention to prisoners of war, as well as the detainees' human right to health.

Pablo de Greiff, Commissioner

Another important new element of which the Commission now has evidence are the organizational aspects that enable torture. In the well-established detention facilities, personnel of the Federal Security Service of the Russian Federation were in charge of the interrogations, which were held in the presence of Federal Penitentiary Service regular personnel as well as special purpose units (*Spetsnaz*). Multiple testimonies show that these services had regular rotations and acted in coordination with one another and in accordance with a division of labour. The special purpose units of the Penitentiary Service were the main perpetrators of torture during the various phases of the detention.

Moreover, the Commission now has evidence that the leadership of detention facilities or other higher ranking Russian authorities ordered, encouraged, tolerated, or took no action to stop torture or ill-treatment.

I will now move to the Commission's investigations of new attacks with explosive weapons. They have affected civilian targets, including hospital and other medical facilities, cultural objects, and civilian sites such as a shopping centre and markets, at times of the day when many civilians were present. Some of these attacks were indiscriminate, in violation of international humanitarian law.

We have also looked into attacks with explosive weapons in territory under Russian Federation control but have not been able to complete investigations due to lack of access, despite requests to the Russian Federation.

Finally, the Commission has previously examined in detail large-scale waves of attacks on Ukraine's energy-related infrastructure since 10 October 2022, and already concluded that

they are widespread and systematic. In the current mandate, we have investigated nine additional waves of attacks between January 2023 and September 2024, and have assessed the impact of those attacks. The full impact on civilians is not yet known. In this report, we focus on the right to health and education of Ukrainians. The impact is particularly severe on certain categories of persons, including children and older persons, as well as persons with a disability or a medical condition. Primary carers of the former categories of persons, mostly women, were also seriously affected. The Commission will continue its investigations.